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APR 2 2002

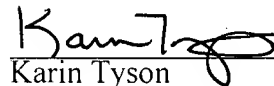
Philippe L. Durette  
Merck & Company  
PO Box 2000  
Rahway NJ 07065-0907

Re: Patent Term Extension  
Application for  
U.S. Patent No. 5,298,520

Dear Mr. Durette:

A certificate under 35 U.S.C. § 156 is enclosed extending the term of U.S. Patent No. 5,298,520 for a period of 153 days. While a courtesy copy of this letter is being forwarded to the Food and Drug Administration (FDA), you should directly correspond with the FDA regarding any required changes to the patent expiration dates set forth in the Patent and Exclusivity Data Appendix of the Orange Book (Approved Drug Products with Therapeutic Equivalence Evaluations) or in the Patent Information set forth in the Green Book (FDA Approved Animal Drug Products). The sample format for submitting information regarding the patent and the patent expiration date to the Orange Book is available on the FDA Internet web site at: <http://www.fda.gov/cder/orange/patdecl.pdf>.

Telephone inquiries regarding this communication should be directed to the undersigned at (703)306-3159.

  
Karin Tyson  
Senior Legal Advisor  
Office of Patent Legal Administration  
Office of the Deputy Commissioner  
for Patent Examination Policy

cc: David T. Read  
Health Assessment Policy Staff  
Acting Director Health Assessment Policy Staff, CDER  
Food and Drug Administration  
1451 Rockville Pike, HFD-7  
Rockville, MD 20852

RE: MAXALT® (rizatriptan benzoate)  
FDA Docket No.: 98E-0852

# UNITED STATES PATENT AND TRADEMARK OFFICE

## (12) CERTIFICATE EXTENDING PATENT TERM UNDER 35 U.S.C. § 156

(68) PATENT NO. : 5,298,520  
(45) ISSUED : March 29, 1994  
(75) INVENTOR : Raymond Baker, et al.  
(73) PATENT OWNER : Merck Sharp & Dohme Ltd.  
(95) PRODUCT : MAXALT® (rizatriptan benzoate)

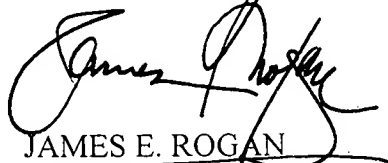
This is to certify that an application under 35 U.S.C. § 156 has been filed in the United States Patent and Trademark Office, requesting extension of the term of U.S. Patent No. 5,298,520 based upon the regulatory review of the product MAXALT® (rizatriptan benzoate) by the Food and Drug Administration. Since it appears that the requirements of the law have been met, this certificate extends the term of the patent for the period of

(94) 153 days

from January 28, 2012, the original expiration date of the patent, subject to the payment of maintenance fees as provided by law, with all rights pertaining thereto as provided by 35 U.S.C. § 156(b).



I have caused the seal of the Patent and Trademark Office to be affixed this 1st day of April 2002.

  
JAMES E. ROGAN

Under Secretary of Commerce for Intellectual Property and  
Director of the United States Patent and Trademark Office